

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2014-53-WS, 2014-54-WS, 2014-55-WS, 2014-56-WS, 2014-57-WS,
2014-58-WS and 2014-75-WS
ORDER NO. 2014-208

MARCH 4, 2014

IN RE: Docket No. 2014-53-WS – Petition of Linda K. Stevenson Against Tega Cay Water Service, Inc.)	ORDER GRANTING
)	CONSOLIDATION OF
)	DOCKETS AND
)	APPOINTMENT OF
Docket No. 2014-54-WS – Petition of Joyce Clark Against Tega Cay Water Service, Inc.)	HEARING OFFICER
)	
Docket No. 2014-55-WS – Petition of Kelly Macaluso Against Tega Cay Water Service, Inc.)	
)	
)	
Docket No. 2014-56-WS – Petition of David L. O’Neal Against Tega Cay Water Service, Inc.)	
)	
)	
Docket No. 2014-57-WS – Petition of Jolene Church Against Tega Cay Water Service, Inc.)	
)	
)	
Docket No. 2014-58-WS – Petition of Elizabeth Duda Against Tega Cay Water Service, Inc.)	
)	
)	
Docket No. 2014-75-WS – Petition of John Dervay Against Tega Cay Water Service, Inc.)	
)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) for ruling on Motions filed by Tega Cay Water Service, Inc. (TCWS) for consolidation of the above-referenced dockets (Docket Nos. 2014-53-WS, 2014-54-

WS, 2014-55-WS, 2014-56-WS, 2014-57-WS, 2014-58-WS, and 2014-75-WS) and for appointment of a hearing officer in the proceedings.

In February 2014, Linda K. Stevenson, Joyce Clark, Kelly Macaluso, David L. O'Neal, Jolene Church, and Elizabeth Duda,¹ and John Dervay² (collectively, the Complainants) filed their individual complaints with the Commission against TCWS. Upon the complaint filings, the Commission established Docket Nos. 2014-53-WS through 2014-58-WS and Docket No. 2014-75-WS, respectively, to address these complaints. Thereafter, pursuant to S.C. Code of Regs. 103-840, TCWS filed a motion requesting administrative consolidation of the dockets and consolidation of the hearings. TCWS asserts in its motion that the allegations raised in the complaints are virtually identical, and the Complainants are seeking the same relief. According to the Company, consolidation of the dockets would eliminate duplicative pleadings and hearings, eliminate the possibility that decisions in one matter would indirectly affect another case, and minimize time and expense for all parties. The Commission finds the request of TCWS to consolidate reasonable and finds that judicial economy would be served by the consolidation of the present dockets.

Along with its Motion to Consolidate, TCWS filed a Motion for Appointment of a Hearing Officer to expedite the consideration of procedural and non-dispositive motions, as provided by S.C. Code Ann. § 58-3-40 (2013). Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing

¹ Stevenson, Clark, Macaluso, O'Neal, Church, and Duda Complaints filed February 7, 2014.

² Dervay Complaint filed February 20, 2014.

officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the Commission, to rule on questions concerning the conduct of the case and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

We find that appointment of a hearing officer in the complaint proceedings is appropriate and find that B. Randall Dong, Esquire, meets the qualifications set forth.

IT IS THEREFORE ORDERED THAT:

1. Tega Cay Water Service, Inc.'s request to consolidate Docket Nos. 2014-53-WS, 2014-54-WS, 2014-55-WS, 2014-56-WS, 2014-57-WS, 2014-58-WS, and 2014-75-WS for future proceedings is hereby granted. This consolidation does not change the limitation pursuant to South Carolina law that the *pro se* parties may only represent themselves.

2. Tega Cay Water Service, Inc.'s request for appointment of a hearing officer is granted, and we hereby appoint Mr. Dong as hearing officer in Docket Nos. 2014-53-WS through 2014-58-WS and Docket No. 2014-75-WS. As hearing officer in the consolidated dockets, we direct Mr. Dong to rule on applicable matters in the cases and dispose of procedural and evidentiary matters of the proceedings.

3. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



Nikiya Hall, Vice Chairman

(SEAL)